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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

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6 Jacob Avneri,

Case No. 2:23-cv-00169-JAD-DJA

7 Plaintiff,

Order

8 v.

9 State Farm Mutual Automobile Insurance
10 Company; et al.,

11 Defendants.
12

13 Plaintiff's counsel—G. Mark Albright, Esq.; Daniel R. Ormsby, Esq.; and Kyle W.
14 Fenton, Esq. of the law office of Albright, Stoddard, Warnick & Albright—have moved to
15 withdraw their representation of Plaintiff Jacob Avneri, explaining that counsel and Mr. Avneri
16 have a disagreement regarding how to move forward with this litigation. (ECF No. 20). They
17 further explain that discovery has not commenced and there is no trial date, which would give Mr.
18 Avneri sufficient time to obtain new counsel. (*Id.*). Mr. Avneri has not responded to the motion
19 to withdraw.

20 Under Local Rule ("LR") IA 11-6(b), "[i]f an attorney seeks to withdraw after appearing
21 in a case, the attorney must file a motion or stipulation and serve it on the affected client and
22 opposing counsel." LR IA 11-6(b). Under Local Rule 7-2(d) the failure of a party to oppose a
23 motion constitutes that party's consent to the granting of the motion. The Court finds that
24 Plaintiff's counsel has met the requirements of LR IA 11-6(b). Mr. Avneri has also not
25 responded, constituting his consent to the granting of the motion.

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1 **IT IS THEREFORE ORDERED** that G. Mark Albright, Esq.; Daniel R. Ormsby, Esq.;
2 and Kyle W. Fenton, Esq.'s motion to withdraw (ECF No. 20) is **granted**. The Clerk of Court is
3 kindly directed to remove G. Mark Albright, Esq.; Daniel R. Ormsby, Esq.; and Kyle W. Fenton,
4 Esq. as counsel of record and from the electronic service list for this case.

5 **IT IS FURTHER ORDERED** that the Clerk of the Court shall add the last known
6 address and email address of Plaintiff to the civil docket and send a copy of this Order to
7 Plaintiff's last known address:

8 Jacob Avneri
9 10309 Back Plains Dr
10 Las Vegas, NV 89134-7403
11 avnerij@gmail.com
12

13 **IT IS FURTHER ORDERED** that on or before **August 31, 2023**, Mr. Avneri must file a
14 status report with the Court indicating whether he will proceed in this action *pro se* or will retain
15 counsel. Alternatively, if Mr. Avneri obtains new counsel before August 31, 2023, Mr. Avneri's
16 new counsel may file a notice of appearance in this case on or before **August 31, 2023** in lieu of a
17 status report. **Failure to comply with this order may result in a recommendation to the**
18 **district judge that this case be dismissed.**

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20 DATED: August 1, 2023

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22 _____
23 DANIEL J. ALBREGTS
24 UNITED STATES MAGISTRATE JUDGE
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